

## **CLAIM LISTING**

Claim 1 (Currently Amended): An isolated or recombinant nucleic acid sequence comprising a promoter region encoding nucleotides 3200 to 3556 of SEQ ID NO:5 ~~or a nucleic acid sequence functionally equivalent thereto, and comprising Ets binding sites at about nucleotides 3223, 3451 and 3520 of SEQ ID NO:5 and an Sp-1 binding site at about nucleotide 3274 of SEQ ID NO:5~~, wherein said nucleic acid sequence allows expression of a nucleic acid sequence of interest operably linked to said promoter in a cancer cell in an epithelium-selective manner.

Claim 2 (Previously Presented): An isolated or recombinant nucleic acid sequence according to claim 1 wherein said cancer cell is a lung carcinoma cell.

Claim 3 (Cancelled)

Claim 4 (Previously Presented): An isolated or recombinant nucleic acid sequence according to claim 1 of human origin.

Claim 5 (Previously Presented): An isolated or recombinant nucleic acid sequence according to claim 1 further comprising a nucleic acid of interest.

Claim 6 (Previously Presented): An isolated or recombinant nucleic acid sequence according to claim 1 wherein said promoter region is inducible or suppressible.

Claim 7 (Previously Presented): An isolated or recombinant nucleic acid sequence according to claim 1 further comprising a suicide gene or functional fragment thereof.

Claim 8 (Previously Presented): An isolated or recombinant vector comprising a nucleic acid sequence according to claim 1.

Claim 9 (Previously Presented): A gene delivery vehicle comprising an isolated or recombinant nucleic acid sequence according to claim 1.

Claims 10-19 (Cancelled)

Claim 20 (Previously Presented): An isolated or recombinant nucleic acid sequence according to claim 5 wherein said nucleic acid of interest is a suicide gene.

Claim 21 (Previously Presented): An isolated or recombinant nucleic acid sequence in accordance with claim 20 wherein said suicide gene is thymidine kinase or cytosine deaminase.

Claims 22-23 (Cancelled)

Claim 24 (Previously Presented): An isolated host cell expressing the recombinant nucleic acid sequence according to claim 1.